

### **DETAILED ACTION**

1. The following Office Action is based on the appeal brief filed on May 19, 2009, having claims 1-15, 17-34, 36-53, 55-72, and 74-95 (claims 16, 35, 54 and 73 having been cancelled).

### ***Response to Arguments***

2. Applicant's arguments, filed May 19, 2009, with respect to claims 1-15, 17-34, 36-53, 55-72, and 74-95 have been fully considered and are persuasive. The rejection of claims 1-15, 17-34, 36-53, 55-72, and 74-95 has been withdrawn.

### ***Allowable Subject Matter***

3. Claims 1-15, 17-34, 36-53, 55-72, and 74-95 are allowed.

4. The following is an examiner's statement of reasons for allowance:

For claims 1-15, 17-34, 36-53, 55-72, and 74-95, the prior art fails to teach or render obvious a combination of:

applying a process to select an exit port of said switch from a set of possible exit ports through which at least one frame from said flow of frames will exit to potentially reduce frame traffic congestion along potential routes that include said set of possible exit ports, said set of possible exit ports including at least some of the exit ports of at least two trunk groups; and

transmitting said at least one frame

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 form.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARAH FAROUL whose telephone number is (571)270-1421. The examiner can normally be reached on M - F 7:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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